

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

Chapter 13

MILTON KATCHER,

Case No. 15-23696 (rdd)

Debtor.
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CREDITOR LOSS MITIGATION AFFIDAVIT

I, Mark E. Cohen, being sworn, say:

I am not a party to this action, am over 18 years of age and maintain my law offices in Forest Hills, New York.

On May 26, 2016, I served a true copy of the financial packet and this "*Creditor Loss Mitigation Affidavit*"¹ upon the following parties via (first class mail, facsimile or email) at the following addresses [*insert addresses*]:

Rosemarie E. Matera, Esq.
Kurtzman Matera, PC
Attorneys for Chapter 13 Debtor
664 Chestnut Ridge Road
Spring Valley, NY 10977

Milton Katcher
Chapter 13 Debtor
196 Saddle River Road
Monsey, NY 10952

Pursuant to that request, the Debtor² must provide the following documents:

☒ A copy of the Debtor's two (2) most recent federal income tax returns;

☒ A copy of the Debtor's last two (2) paycheck stubs showing at least 4 weeks of earnings and YTD gross and net earnings, proof of social security income, pensions, or any other income received by the Debtor;

Or, if Debtor is self-employed:

☒ A copy of the Debtor's business most recent signed and dated quarterly or YTD profit and loss statement;

¹ Italicized words in quotations indicate that there is a form by the same name on the Bankruptcy Court's website. These forms shall be used whenever applicable.

² Unless otherwise provided herein, all capitalized terms are defined in the Southern District of New York's Loss Mitigation Program Procedures. The Loss Mitigation Program Procedures' definition of "Debtor" includes joint debtors.

- ☐ A copy of the mortgagee's completed financial worksheet;
- ☐ Proof of second/third party income by affidavit of the party, including the party's last two (2) paycheck stubs,
- ☒ Other (please specify): Business tax returns, including all schedules (if applicable)

Please be advised that the Creditor designates the following person to be its Loss Mitigation contact:

Name: Nikita DaSilva

Title: Principal Coordinator

Address: 7933 Preston Rd, Plano, TX 75024

Phone Number: (855) 777-2645

Email Address: nikita.dasilva@capitalone.com

Please be advised that the Creditor designates the following person to be its attorney for Loss Mitigation on this Loan.

Name: Mark E. Cohen, Esquire

Firm: Mark E. Cohen, Esquire

Phone Number: (718) 258-1500

Fax Number: (718) 793-1627

Email Address: mecesq@aol.com

Dated: Forest Hills, New York
May 26, 2016

s/Mark E. Cohen, Esq.
MARK E. COHEN, ESQ.
Attorney for Secured Creditor
Capital One, N.A.
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Forest Hills, New York 11375
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